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FACSIMILE TRANSMITTAL FORM

DATE: April 13, 2004

TO: USPTO

ATTN: Mr. Frenel

FAX NUMBER: 703-746-6065

RECIPIENT'S PHONE:

FROM: Adam Sacharoff

NO. OF PAGES: 5

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PTO/SB/87 (08-00)

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Attorney Docket No. 4000735.0004

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Attn: Vanel Frenel

Enclosed please find an Interview Request Form and a two page summary of items to be discussed.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Applicant Initiated Interview Request Form

Application No.: 09 / 577386 First Named Applicant: Lesswing, Mark
 Examiner: Frenewl, Vanel Art Unit: 3626 Status of Application: Pending

Tentative Participants:

- (1) Adam K Sacharoff (attorney record) (2) Vanel Frenewl (Examiner)
 (3) Joseph Thomas (Supervisor) (4) _____

Proposed Date of Interview: 04/14/2004 Proposed Time: 4:00 (AM/PM)

Type of Interview Requested:

- (1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej</u>	<u>1-59</u>	<u>Bosco and Tarter</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

Brief Description of Arguments to be Presented:

SEE ATTACHED

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20591-0001. Reference ID: USPTO-EXRF-2/0 * DMS TO THIS FORM

Application No. 09/577,386
Applicant Lesswing, Mark
Examiner Frenewl, Vanel

Office states the Tarter patent discloses:

- (1) a computer-implemented method of repricing an electronically received reimbursement claim (Tarter - Claim 13, lines 44-67 to Col. 14, line 65)
- (2) providing programming code for converting each contract into a plurality of terms and a contract identifier code, each term of the plurality of terms containing qualification codes, calculation codes and at least two priority notes, arranging the terms into a sequential series of terms (Tarter - Col 15, lines 7 -65);
- (3) providing programming code for converting the reimbursement claim into a series of claim lines, each claim line containing a claim code, a unit number and a corresponding charge (Tarter -Col. 15, lines 7-67); and
- (4) providing programming code for sequentially comparing each claim code, of the series of claim lines, against each qualification code, of the plurality of terms and when a claim code, of a claim line, is substantially equal to a qualification code, of a term, identifying said term as a matching term associated to said claim line (Tarter -Col. 13, lines 44-67 to Col. 14, line 67; Col. 15, lines 1-39);

and Bosco suggests:

- (5) providing programming code for determining any priority conditions associated to all of the matching terms, and eliminating any matching terms that are excluded by said priority conditions; and providing programming code for determining a reimbursement amount for the claim by processing the calculation codes of the non-eliminated matching terms (Bosco, Col. 9, lines 1-67; Col. 19, lines 58-67 to Col. 20, line 68)

Discussion:

After extensive review of the Tarter and Bosco patents, the applicant cannot find where these provisions are provided for:

Example element 3 above:

providing programming code for converting the reimbursement claim into a series of claim lines, each claim line containing a claim code, a unit number and a corresponding charge (Tarter -Col. 15, lines 7-67); and

Col. 15 lines 7-67 of Tarter discloses converting assets (receivables) into cash, forecasting cash flow needs and matches those needs to available funding sources at competitive market interest rates. Moreover, the CHARMS software (for which the Tarter patent is directed thereto) provides the ability "for the purchase of all of the adjudicated and approved third party receivables from the contracted service providers." (Col 15., lines 31-34). Applicant's claims are directed to the ADJUDICATION of the such reimbursement claims. Applicant's

Application No. 09/577,386
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invention discloses and claims how to effectively adjudicate and approve of the third party claims which would be converted in the receivables used by the Tarter patent. As such, Tarter cannot disclose, suggest, or motive Applicant's invention because Tarter is directed to after-the-fact processing of Applicant's adjudication.

Once the Tarter patent is removed the rejection under §103(a) is traversed and all claims 1-59 are allowable.

Claims 40-52 can be rewritten to provide for the rejections under 35 USC 101.



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Fee Transmittal for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,882.00)

Complete if Known

Application Number	09/577,386-Conf. #385
Filing Date	May 23, 2000
First Named Inventor	Mark Lesswing
Examiner Name	V. Frenel
Art Unit	3626
Attorney Docket No.	DO-066729/P017US/HM/SP 3600

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number 06-2380

Deposit Account Name Fulbright & Jaworski L.L.P.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge – late filing fee or oath
1052	50	2052	25 Surcharge – late provisional filing fee or cover sheet.
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	420	2252	210 Extension for reply within second month
1253	950	2253	475 Extension for reply within third month
1254	1,480	2254	740 Extension for reply within fourth month
1255	2,010	2255	1,005 Extension for reply within fifth month
1401	330	2401	165 Notice of Appeal
1402	330	2402	165 Filing a brief in support of an appeal
1403	290	2403	145 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive – unavoidable
1453	1,330	2453	665 Petition to revive - unintentional
1501	1,330	2501	665 Utility issue fee (or reissue)
1502	480	2502	240 Design issue fee
1503	640	2503	320 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	770	2809	385 Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385 For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385 Request for Continued Examination (RCE) 770.00
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 880.00)			

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

(Complete if applicable)

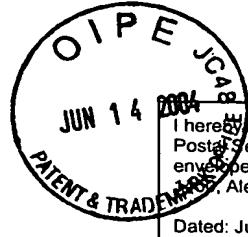
Name (Print/Type)	Jody C. Bishop	Registration No. (Attorney/Agent)	44,034	Telephone	(214) 855-8007
Signature				Date	June 14, 2004

Fee Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV256036430US, in an envelope addressed to: M/S RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 14, 2004

Signature: (Gail Miller)



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Dated: June 14, 2004

Signature:

(Gail L. Miller)

Docket No.: 66729-P017US-10405597
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Mark Lesswing et al.

Confirmation No.: 3851

Application No.: 09/577,386

Examiner: V. Frenel

Filed: May 23, 2000

Group Art Unit: 3626

For: A NOVEL METHOD AND APPARATUS FOR
REPRICING A REIMBURSEMENT CLAIM
AGAINST A CONTRACT

RECEIVED
JUN 18 2004
GROUP 3600

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, The TriZetto Group, hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: June 14, 2004

Respectfully submitted,

By

Jody C. Bishop

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